

CIVIL ACTION NO. 2:11-mc-36

Ingeteam has refused to respond fully to the subpoena on the ground that it does not have responsive documents and information within its possession, custody, or control. Ingeteam’s foreign parent, however, possesses all such documents and information, and the relationship between Ingeteam and its parent is such that Ingeteam does have “possession, custody, or control” within the meaning of Rule 45.

The grounds for this Motion are more fully set forth in GE's brief in support hereof, and in the supporting Declaration of Nicholas Sethi and the exhibits thereto, all filed contemporaneously with this Motion.

Respectfully Submitted,

s/ Anthony S. Baish

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Anthony S. Baish  
Wisconsin State Bar No. 1031577  
GODFREY & KAHN S.C.  
780 North Water Street.  
Milwaukee, WI 53202  
Phone: 414-273-3500  
Fax: 414-273-5198  
[ABaish@gklaw.com](mailto:ABaish@gklaw.com)

**ATTORNEYS FOR PLAINTIFF GENERAL  
ELECTRIC COMPANY**

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